

**Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot and Docking Commission  
February 20, 2018**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 20, 2018 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:05 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (via-teleconference); Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (absent)

Election of Officers

A Motion made by Commissioner Shisha and seconded by Commissioner McEwing to nominate Commissioner Timothy Dacey, President, Commissioner Brian McEwing, Vice President, Commissioner Jacob Shisha, Secretary and Commissioner Charles Wowkanech, Treasurer. All voted in favor.

Committee Assignments

All Committee assignments remain the same with the addition of the Audit Evaluation Committee per a request from the Authorities Unit. A Motion was made by Commissioner Shisha and seconded by Commissioner McEwing to approve the 2018 Committee Assignments. All voted in favor.

Approval of the December 19, 2017 regular meeting minutes

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to approve the December 19, 2017 meeting minutes. All voted in favor.

Resolution #18-01 to approve the January, 2018 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #18-01 to approve the January, 2018 Treasurers Report. All voted in favor.

Resolution #18-06 to approve the February, 2018 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #18-06 to approve the February, 2018 Treasurers Report. All voted in favor.

Executive Director's Report

Ms. Stuckey introduced and welcomed Adam Sternbach as the newly appointed representative from the Authorities Unit.

Mr. Sternbach gave a brief description of his background and stated that he looks forward to working with the Commission.

- A. Hudson River Update - Since the Commission's last meeting, there have been two transport jobs on the Hudson River.
- B. Pilot Ladder Deficiency Update - A pilot ladder deficiency report was completed by a Sandy Hook Pilot and Chris Maglin sent the report to the vessels owner requesting that they address the issue. The owner immediately responded outlining what corrective action they would take. Ms. Stuckey provided the Commission with a copy of the correspondence from beginning to end.
- C. Meeting with the New York Executive Director - Ms. Stuckey met with Frank Keane to discuss joint issues between the two Commissions such as pilot to pilot exchange, pilot numbers, updating the maritime pilot test, apprentice selection etc. Both Commissions are working on their annual reports and after they are completed, they will sit down and meet with both presidents on these issues.

The Commission will be completing the Apprentice Selection process for both Maritime and Docking Pilots this year. Both open ads will be printed in the March issues of the Professional Mariner and Workboat Magazines. The deadline for submission is April 15, 2018. Ms. Stuckey is anticipating that the Docking Pilot interviews will take place sometime in June, 2018 and the Maritime Pilot interviews will take place in September. Copies of both ads were provided to the Commission.

- D. Hackensack Education Cruise - A copy of an invitation was provided to the Commission from Chris Maglin to attend the Hackensack & Passaic River recency cruise on March 29, 2018. If anyone of the Commissioners is interested in attending, they can either contact Ms. Stuckey or Chris Maglin for reservations.

Ms. Stuckey provided a copy of the Sandy Hook monthly apprentice training report. The Commission currently has five apprentices in the program. Ms. Stuckey informed the Commission that Apprentice Paul Torres is currently stopped up and will probably sit for his exam in the spring of 2018.

- E. Legislative Cruise Reschedule - The Commission's legislative cruise has been rescheduled for Monday, June 18, 2018, which is the day before the Commission's regular board meeting. The cruise is set for a 4pm boarding with a 4:30pm sail time. The Commission will provide accommodations for the Commissioners that live in south Jersey, so they don't have to travel at night and can then be present for the board meeting the next morning. The Commission will send out save the date cards for all attending the first week of March.

The Commission was provided with a copy of the advancement schedule from Sandy Hook for Deputy Pilots.

The Commission was provided with a correspondence submitted to the new Deputy Chief Counsel at the Authorities Unit. The first is a memo outlining the procedures the Commission will follow for performance evaluation and salary structure. The second is information on professional services currently in use and any future needs by the Commission.

F. Harbor Ops Meeting - Ms. Stuckey attended the January 17, 2018 Harbor Ops Meeting. The Captain of the port gave updates on the current bridge projects. The Commission was provided a copy of the latest advisory notice on the Goethals Bridge.

There was a discussion regarding the SULCV and ULCV transits. The pilots expressed concern over bunker barges in the Newark Bay. Although there haven't been any issues they believe it poses the potential for a mishap. Waterways reported that they are aware of the issue and are trying to find a middle ground. Currently they are asking that all arrivals of SULCV's and ULCV's be reported as soon as the notice of arrival is received. That information will be shared with the terminals so the necessary arrangements can be made to clear the channel.

Governor Cuomo is trying to get funding for a program to study the possibility of turning Red Hook Terminal in Brooklyn into residential space. This is something the Committee will continue to monitor and Ms. Stuckey will report back to the Commission if anything develops.

The Carteret marina is planned to open for the 2018 boating season. The current plans have 200 slips with no space for parking.

Ms. Stuckey attended the quarterly briefing on the Port Authorities Council on Port Performance. Although container volume is up, ship movements are down. They mostly addressed issues relating to the land side movement of the cargo and how they plan to address them. The Commission was provided with a copy of their 2018 work plan.

Ms. Stuckey has updated the nautical charts in the Commission's office.

G. Articles of Interest - Ms. Stuckey provided several articles of interest. She encouraged the Commissioners to read them at their leisure.

Commissioner Dacey informed the new DAG representative Adam Sternbach of the Commission's concerns over the proposed waterfront development.

Mr. Sternbach thanked Commissioner Dacey for the information and advised that the information will be very helpful to him going forward.

Public Comment (s)

Comments from Captain John Oldmixon, President, Sandy Hook Pilots Association:

Captain Oldmixon reported that he; Captain John Miller, Captain John DeCruz and Captain Bob Ellis have been meeting with Maher and PNC terminal to discuss the arrivals and departures of the SULCV's and the issues with cranes being down during transits.

Captain Oldmixon reports that he, Captain Ronald Perry and Chris Maglin have been attending all of the Harbor Ops meetings and they are sharing all important information with their pilots.

Hudson River pilots are in the beginning of setting up a Harbor Safety Committee. The Sandy Hook pilots along with other organizations have been helping the Harbor Safety Committee get started with the hopes that this will help with the anchorages and the transits of fuel oil as well as other safety issues.

Captain Oldmixon reported that Sandy Hook had two transport pilots working in the Hudson River and all their transit pilots have been keeping their recency up to date.

Sandy Hook pilots have recently won the bid for the Navy contract. That contract will last five years.

Captain Oldmixon informed the Commission that he has been speaking with Captain Doug Einhorn frequently and although he remains positive, he is still facing a few more surgeries. He states that he will keep the Commission updated on his progress.

Captain Oldmixon reported that from March 5<sup>th</sup> - March 7<sup>th</sup> he; Captain John DeCruz, Captain John Miller and Captain Robert Ellis will be traveling to MITAGS to perform simulation exercises in the Port Elizabeth channel for SULCV transits.

Captain Oldmixon reports there have been a recent influx of 50ft container ships going into Port Newark for the last 5- 6 months.

Captain Oldmixon reported that last month, Sandy Hook met with the New York police, Coast Guard, Homeland security and the New York fire department to discuss cruise ships and other vessels that have medical emergencies. They are trying to put in procedures to remove those injured people safely. A few days after that meeting, there was a man who had a cardiac situation. He was airlifted via helicopter to the hospital. Sandy Hook plans to continue to work on those dangerous situations at sea.

Captain Oldmixon reported that Sandy Hook met with Shell Sea line. They wanted to bring in ships up to 37ft but, they only have 35ft of water there and he expressed to them that

they could not move that tanker during low water. Shell decided to shut that situation down.

Captain Oldmixon expressed his gratefulness to Chris Maglin for all of his help with everything that has been going on.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Shipping 101 spring course will be held during the week of April 16<sup>th</sup>.

Mr. Kelly reported that recently, the New York City counsel have disbanded the Waterfront Committee and relegated their job to a sub-committee. The previous Waterfront Committee had a broader reach and their topic went beyond just land usage. Unfortunately, in New York it has been a lot of attention paid to waterfront properties. There is an M3 zoning, which will bring on more dry docking and inspection scheduling. He had met with the new chair of the New York Sub-Committee, but unfortunately her district is out on Jamaica Island and that is not a maritime area so she is not familiar with the situation. He believes this is very important to sustaining the maritime industry.

On March 24, 2018 the Harbor Ops Sub-Committee on education will be holding a shared harbor seminar from 10am-2pm at pier 15. There is no charge to attend and the topic of discussion will be conflict points, finding ways to educate and resolving some of those issues.

Mr. Kelly reported that Off- Shore wind is getting a lot of attention. With the change in administration, New Jersey seems poised to promote off-shore wind, which runs into the shipping channel.

On March 5<sup>th</sup> and 6<sup>th</sup> in Baltimore, there will be a meeting with Bone who is the company that leases water beds. The meeting will be to discuss their plan to lease the water bed, which is vital to the maritime community.

Mr. Kelly informed the Commission that the current President of the Maritime Association Kevin Corbett is now also the head of New Jersey Transit. He reports knowing Mr. Corbett for a very long time and if the Commission ever needs to have a meeting, he may be able to help spearhead that meeting.

Commissioner Dacey suggested that Ms. Stuckey and Mr. Kelly set up a meeting with the new Authorities Unit

representative Adam Sternbach in order to get him caught up on the conditions of the anchorages on the Hudson River.

### Committee Reports

#### A. Occurrence Investigation Committee:

- I. Zim Genova - Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.
- II. M/V Gluecksburg - Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.

#### Resolution #18-02 to approve the appointment of Ricard Wood into the Docking Pilot Apprentice Training Program

Ms. Stuckey informed the Commission that Richard Wood will be appearing at the March annual meeting however, she is moving the resolution today because Metro is experiencing a shortage in man power. Mr. Wood will be allowed to start his apprenticeship today for Metro Pilot Association.

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #18-02 to approve the appointment of Richard Wood into the Docking Pilot Apprentice Training Program. All voted in favor.

### Executive Session

WHEREAS, the open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:40 AM.

### Return to Public Session

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 12:15 PM.

### Resolution #18-03 to approve the upgrade of Captain Ronald Perry to a Full Branch Pilot

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #18-03 to approve the upgrade of Captain Ronald Perry to a Full Branch Pilot.

All voted in favor.

### Resolution #18-04 to approve the upgrade of Captain Karen Basciano to a Pilot of the 3<sup>rd</sup> Grade

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #18-04 to approve the upgrade of Captain Karen Basciano to Pilot of the 3<sup>rd</sup> Grade.

All voted in favor.

### Resolution #18-05 to approve the upgrade of Captain Mark Wanderer to a pilot of the 5<sup>th</sup> Grade Part A



A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #18-05 to approve the upgrade of Captain Mark Wanderer to a pilot of the 5<sup>th</sup> Grade Part A.

All voted in favor.

Swearing in of Captain Ronald S. Perry as a Full Branch  
Maritime Pilot

Captain Ronald S. Perry was sworn in as a New Jersey State Full Branch Maritime Pilot by Commissioner Dacey.

Ruling on Captain Lou Bettinelli Suspension

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to reaffirm the suspension of Captain Lou Bettinelli until an investigation and hearing is completed.

All voted in favor.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 12:20 PM.